

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10cv273-RJC-DCK

MITCHELL GATEWOOD,)
)
)
Plaintiff,)
)
)
v.) ORDER
)
)
JULIE MUELLER, Special Agent with the)
Federal Bureau of Investigation, et al.,)
)
)
Defendants.)
)

THIS MATTER is before the Court sua sponte. On June 28, 2010, the Court denied Gatewood's motion to proceed in forma pauperis and ordered him to remit the \$350.00 filing fee for this action within thirty (30) days. The Court ordered that in the alternative, Gatewood could submit a new, fully completed Application which includes a certified copy of his inmate trust account as explained on the Application form. The Order, in bold typeface, informs Gatewood that "[f]ailure either to remit the filing fee or to submit an amended Application within thirty (30) days could result in the summary dismissal of this action." (Doc. No. 4 at 2).

Gatewood's fee or new Application was due July 28, 2010. Gatewood failed to remit the fee or submit an amended Application by this date, but the Court waited an extra week in case there was a delay in prison officials' forwarding his mail. Still the Court has received no fee or amended Application from Gatewood, and thus his complaint must be dismissed.

IT IS, THEREFORE, ORDERED that Gatewood's Complaint (Doc. No. 2) is hereby **DISMISSED WITHOUT PREJUDICE**, and any outstanding motions are **DENIED** as moot.

SO ORDERED.

Signed: August 9, 2010

Robert J. Conrad Jr.

Robert J. Conrad, Jr.
Chief United States District Judge

